

REMARKS

This amendment is in response to the Office Action of August 25, 2005, in which claims 1-21 were rejected in response to the Request for Reconsideration filed on March 30, 2005, and the drawings filed on May 29, 2002 were objected to by the Examiner.

Applicant notes that the Examiner has now acknowledged that the claims of the present application are novel over Chien (US 5,839,072). However, the Examiner has raised a new ground of rejection on the basis of obviousness over Chien in view of Koster (US 6,356,756). It seems that the Examiner acknowledges that Chien does not disclose “informing at least one supplementary telecommunication service of the results of said determination before initiating a use of said at least one supplementary telecommunication service,” but the Examiner suggests that this feature is disclosed by Koster.

First of all, Applicant notes that the Examiner still appears to be referring to the features in the claims as they were before the filing of the preliminary amendment which was made on this case. The feature which is quoted above and discussed by the Examiner was amended by the preliminary amendment to “informing at least one supplementary telecommunication service of the results of said determination during the phase that is before a phase in which the set-up procedure is completed and before the provision of said at least one supplementary communication service for said first station is initiated.” Please note that this discrepancy was previously pointed out to the Examiner in our Request for Reconsideration filed March 30, 2005 in response to the previous Office Action, but the Examiner still appears to be dealing with the claims as though they were unamended. See also the annexes to the IPER (PCT/IPEA/409) which included six sheets of amended claims (1-21). The preliminary amendment amended claims 5-8, 12, 14-16, and 19-21.

Applicant earnestly submits that Koster does not overcome the deficiency of Chien because it also does not disclose the feature of the present invention of informing a supplementary telecommunication service of the results of the determination during a phase that is before a phase in which the set-up procedure is completed and before provision of a supplementary telecommunication service for the first station is initiated. The Examiner suggests in the Office Action that the latter part of this feature is disclosed in Koster at column 5, line 65 to column 6 line 8. This passage of Koster is a discussion of figure 3, which illustrates steps occurring during a call from a PSTN line to a wireless subscriber's directory number. In step 312 shown in Figure 3, the LNP SCP sends a message back to the switch containing the routing instructions for the service platform, and then in step 314 the switch connects the call to the platform. The platform then performs additional processing in order to determine the most likely location of the caller, following which the platform routes the call to that directory number.

Thus the method of Koster is concerned with a process by which a call may be connected to a subscriber in a mobile network, for instance when the subscriber has purchased a "Follow-Me" service that allows a caller to be reached at any time during the day, based upon a predetermined schedule. The platform operates a service which enables a service to be provided for the second station (i.e. the subscriber in the mobile network who receives the call at a variable location according to the time of day).

In contrast, claim 1 of the present invention requires that the supplementary telecommunications service which is informed of the results of the determination (i.e. whether the second station is a ported station) provides a service for the first station (see last two lines of claim 1). In the method of Koster, if the supplementary telecommunication service is considered to be the "Follow-Me" service, it is clear that this service will need to determine whether the called station is a ported station in order to make the correct connection to it. However, this is quite different from the present invention wherein a supplementary telecommunication service serving the first station (i.e. the station which initiates the communication) is informed

whether the second station is a ported station before the call set-up procedure is completed and before provision of the supplementary telecommunication service. Whereas the method of Koster is merely a necessity which allows the connection to be made to the called party, the present invention relates to the provision of information to a service provided to the communication-initiating party so that the service for this party functions correctly. Thus, the present invention ensures that the supplementary service is provided with the necessary information regarding the status of the second party (with whom the communication is initiated) before the service is initiated, which is particularly advantageous with respect to call handling and management (for example call charging). Thus Koster says nothing about informing a supplementary telecommunication service (which provides a service to a communication-initiating station) whether the station with which the communication is initiated is a ported station, let alone that this information should be provided at any particular time.

In order to clarify these differences, Applicant has made some minor amendments to the independent claims, as shown above. In particular, independent claims 1, 10 and 17 have been clarified in that the first station is a station which initiates a communication and thus that the second station is the passive party (i.e. the station with which the communication is initiated). Secondly, it has further been emphasized that the supplementary telecommunication service is provided for the communication-initiating station.

In view of the above, it is believed that the combination of Chien and Koster fails to disclose or suggest all of the features of the present claims and it is therefore believed that the claims are inventive over the cited prior art.

With regard to the drawing objection mentioned in Section 1 of the Office Action, Applicant submits herewith a replacement sheet that formalizes the preliminary amendment to the drawings as required by the Examiner.

The objections and rejections of the Office Action of August 25, 2005, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-21 to issue is solicited and drawings.

Respectfully submitted,

A handwritten signature in black ink that reads "Francis J. Maguire". The signature is written in a cursive style with a large, looping initial "F".

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APPENDIX

IN THE DRAWING

Regarding the preliminary amendment B to Fig. 3 on sheet 2/2 that was submitted with this bypass continuation application on December 28, 2001, we submit herewith a replacement sheet (see appendix with both the replacement sheet and a copy of the preliminary amendment marked "Annotated Sheet Showing Changes" under current practice) incorporating the reference numerals 30, 32, 34, 36, 38 and 40 in a more formal manner.

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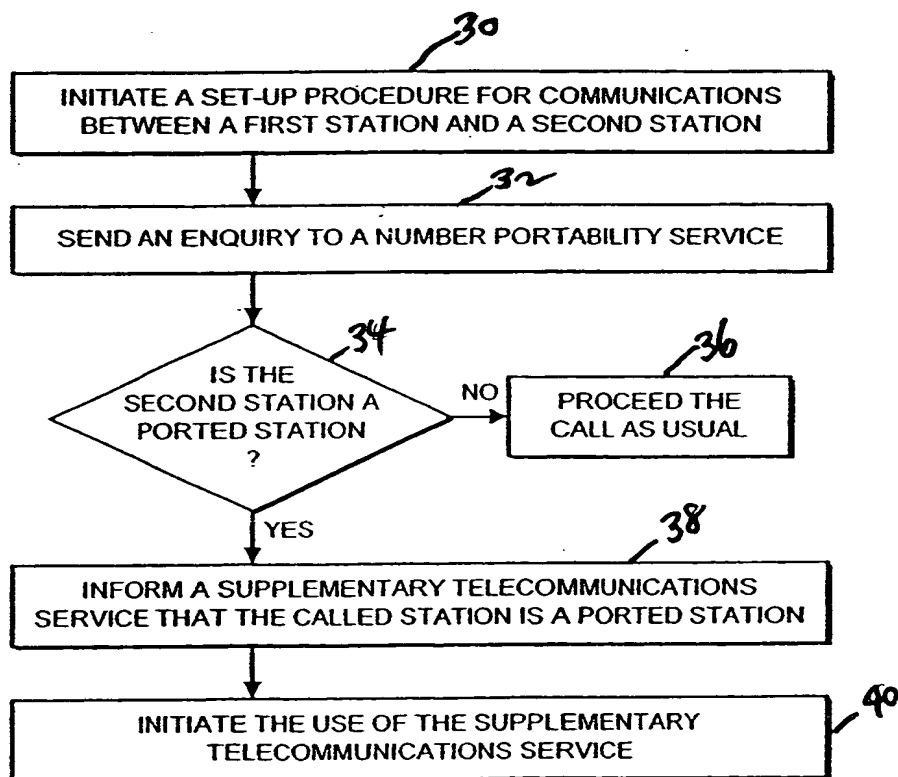


FIG. 3